

Special Meeting of the Board of City Commissioners held Saturday, 12:15 p.m., June 20, 1959, at City Hall.

MEMBERS PRESENT: MAYOR NELEIGH; COMMISSIONERS: MADDOX, NOBLE, AND GUTIERREZ.

MEMBERS ABSENT: MR. SANCHEZ.

OTHERS PRESENT: Acting City Manager, Fred Alvarez; City Clerk, Cuca Gilliland; Adm. Ass't. and City Treasurer, George H. Sim; City Attorney, John Lenko; and Ass't. City Attorney, E. E. Chavez.

PURPOSE OF THE MEETING: TO CONSIDER AND TAKE ACTION ON A SITE FOR A NATIONAL GUARD ARMORY IF POSSIBLE:

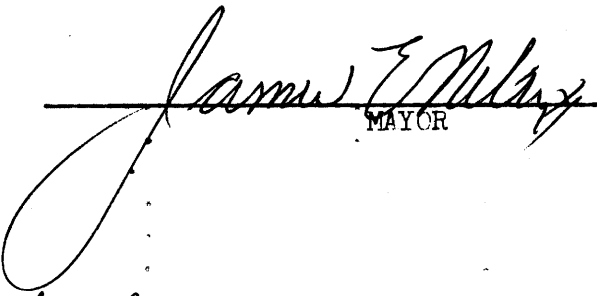
Several areas were proposed for leasing to the National Guard Armory Board for erection of a National Guard Armory in Las Cruces. Consideration of Utility Costs, nearness to school areas and other possible objections were discussed by the City Commission together with Mr. James Patton, an officer in the National Guard, and with Mr. Tom Mayfield, Supt. of Schools.

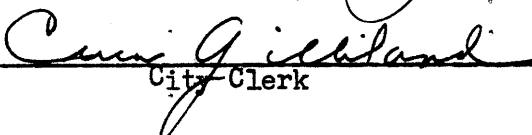
An area of approximately ten (10 acres) located on the proposed Bellamah Loop near the proposed new Junior High was considered the best site by all concerned. At that time, Dr. Maddox made a motion that the City Commission enter into a Lease with the National Guard Armory Board (complete description and copy of lease entered in full in the Minutes) on the norther ten acres of the original 83 acres deeded to the City of Las Cruces for a period of 99 years at a \$1.00 per year for the erection of a National Guard Armory. Mr. Gutierrez seconded the motion.

All members present voted in favor of the motion.

Meeting was adjourned at 1:25 p.m.

NOTE: THE COMPLETE DESCRIPTION AND COPY OF THE LEASE TO THE NATIONAL GUARD ARMORY BOARD IS INSERTED IN A SEPERATE PAGE, FOLLOWING THIS PAGE WHICH WILL BE NUMBERED: Page 3246

  
MAYOR

ATTEST:   
City Clerk

THE AMENDED LEASE OF THE NATIONAL GUARD ARMORY FOR LAS CRUCES.

This lease, made and entered into this 20th day of July in the Year of Our Lord One Thousand Nine Hundred and Fifty-nine, by and between the City of Las Cruces, Dona Ana County, New Mexico, a municipal corporation, as the lessor, and The State Armory Board, State of New Mexico, as the lessee, WITNESSETH:

WHEREAS, the parties hereto entered into a lease dated June 20, 1959, of the premises hereinafter described, which lease provided for a term of Ninety-nine(99) year; and

WHEREAS, under the said lease of June 20, 1959, there was not a full and correct legal description of the ten (10) acre tract leased, and

WHEREAS, it is the desire of the parties that the correct legal description of the said lease premises be contained in this lease.

That for and in consideration of the covenants and agreements hereinafter specified, to be kept and performed by the lessee, the lessor has this day let and does by these presents demise, let and lease unto the lessee, the following described real estate, situate and being within the corporate limits of the City of Las Cruces, in Dona Ana County, New Mexico, to-wit:

A 10.000 acre lot or parcel of land and real estate situate lying and being in the County of Dona Ana and State of New Mexico, and in the Dona Ana Bend Colony Community Grant, and in Section 17, T 23 S, R 2 E, N. M. P. M., of the surveys of the United States Reclamation Service, and being a part of the north half of Tract 3008 as designated on the plats of the Tax Assessor of said County of Dona Ana, and more particularly described as follows:

Beginning at the northeast corner of the tract herein described marked with a 2 inch iron pipe from which point an old concrete monument marking the southeast corner of a 20.00 acre tract described in a deed from Oscar Lohman to Bishop Henry Granjon, dated May 6, 1910, and recorded in Deed Book No. 27, Page 410, of the records of Dona Ana County, New Mexico, and marking the northeast corner of the aforementioned north half of tract 3008 as described in a deed from Nora C. Bennett et al to the Town of Las Cruces, dated November 23, 1931 and recorded in Deed Book No. 81, Page 486 in the records of Dona Ana County, New Mexico, bears N.  $0^{\circ} 54' 30''$  W. a distance of 85.87 feet; thence S.  $25^{\circ} 07' 30''$  E. 521.74 feet to a 2 inch iron pipe marking the southeast corner of this tract; thence S.  $48^{\circ} 16'$  W. 796.66 feet to a 2 inch iron pipe marking the southwest corner of this tract; thence N.  $41^{\circ} 44'$  W. 500.00 feet to a 2 inch iron pipe marking the northwest corner of this tract; thence N.  $48^{\circ} 16'$  E. 945.74 feet to the place of beginning containing 10.000 acres.

TO HAVE AND TO HOLD the same for the period from the 20th day of June, 1959 for, during and until June 19, 2058 or for a period of Ninety-nine (99) years.

The rental to be paid by the lessee to the lessor for this lease shall be One Dollar (\$1.00). Lessee shall pay all utility charges levied on the premises after the installation thereof.

It is understood and agreed that the premises are to be used for the construction of such buildings and improvements as the State Armory Board may require for National Guard purposes and shall be used for National Guard purposes.

It is further expressly understood and agreed that if at any time during the term of this lease the State Armory Board should abandon the premises, the State Armory Board may be permitted to remove any buildings constructed thereon, or permit the sale of said buildings to the City of Las Cruces, Dona Ana County, New Mexico, at the then appraised value, and the above described premises shall revert to

the City of Las Cruces free of any obligations of this lease.

It is expressly agreed that should the leases default in keeping and performing any of the covenants and agreements of this lease imposed upon it, the lessor may, at its election, cancel this lease and repossess the property.

IN WITNESS WHEREOF the City of Las Cruces, Dona Ana County, New Mexico, has caused this instrument to be signed in its name by its Mayor and sealed with its corporate seal attested by its City Clerk and the lessee has caused its name to be hereunto signed by Major General John P. Jolly, President of the State Armory Board, all in triplicate on this the day and year herein first written.

ATTEST:

CITY OF LAS CRUCES  
DONA ANA COUNTY, NEW MEXICO

S/Cuca Gilliland  
City Clerk

S/James E. Neleigh  
Mayor

ATTEST:

THE STATE ARMORY BOARD  
STATE OF NEW MEXICO

S/Harold b. Eisenbarth  
Secretary-Treasurer

S/John P. Jolly  
President